

04-08-03

Express Mail Label: EV074975336US
Date of Deposit: April 7, 2003

Attorney Docket No.: 21402-214CIP

1645
0390



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Edinger, et al.
SERIAL NUMBER : 10/087,684 EXAMINER : Not Yet Assigned
FILING DATE : March 1, 2002 ART UNIT : 1645
FOR : Polypeptides and Nucleic Acids Encoding Same

BOX IDS

Commissioner for Patents
Washington, D.C. 20231

RECEIVED

APR 10 2003

TECH CENTER 1600/2900

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of cited references; B1-B3 and C138-C143; and
3. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 21402-214 CIP. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Christina J. Karnakis, Reg. No. 45,899
Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: April 7, 2003



30623

PATENT TRADEMARK OFFICE



Express Mail Label: EV074975336US
Date of Deposit: April 7, 2003

Attorney Docket No.: 21402-214 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Edinger, et al.
SERIAL NUMBER: 10/087,684
FILING DATE: March 1, 2002
FOR: Polypeptides and Nucleic Acids Encoding Same

EXAMINER: Not Yet Assigned
ART UNIT: 1645

BOX IDS
Commissioner for Patents
Washington, D.C. 20231

RECEIVED
APR 10 2003

TECH CENTER 1600/2900

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed within three months of the mailing date of the International Search Report for PCT/US 01/48922. Accordingly, no fee or certification is believed required.

A copy of each of the references in the above-identified application is enclosed unless otherwise indicated on the attached modified Form PTO-1449. It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Edinger, et al.
U.S.S.N.: 10/087,684

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21402-214 CIP.

Respectfully submitted,

Christine V. Karwowski, Reg. No. 45,899
Ivor R. Elrifi, Reg. No. 99,529
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: April 7, 2003

TRA 1781880v1



Express Mail No. EV074975336US
Date of Deposit: April 7, 2003

Please type a plus sign (+) in this box +

RECEIVED
APR 10 2003
TECH CENTER 1600/2900

Page 1 of 1

Modified Form 1449/PTO		Application Number	10/087,684
		Filing Date	03/01/02
		First Named Inventor	Edinger
		Group Art Unit	1645
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	21402-214 CIP

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	
	B1	WO	98/37085	The Regents of the University of California	08/27/1998		
	B2	WO	01/40466	Genentech, Inc.	06/07/2001		
	B3	WO	02/29058	Curagen Corporation	04/11/2002		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C138	EMBL Accession No.: AK022859 (29 September 2000).
	C139	Hedgecock, et al. (1997). <i>Tren in Genet</i> 13(7): 251-253.
	C140	International Search Report for PCT/US 01/48922, mailed February 28, 2003.
	C141	Komatsuzaki, et al. (2002). <i>Biochem Biophys Res Comm</i> 297(4): 898-905.
	C142	Leonardo, et al. (1997). <i>Nature</i> 386(6627): 833-838.
	C143	Nagase, et al. (1998). <i>DNA Res</i> 5: 277-286.

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____ filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered
--------------------	--	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

O I P E
APR 07 2003
Express Mail N . EV074975336US
Date of Deposit: April 7, 2003

Please type a plus sign (+) in this box

+

RECEIVED

APR 10 2003

Page 1 of 1

TECH CENTER 1600/2900

Modified Form 1449/PTO		Application Number	10/087,684
		Filing Date	03/01/02
		First Named Inventor	Edinger
		Group Art Unit	1645
		Examiner Name	Not Yet Assigned
(use as many sheets as necessary)		Attorney Docket Number	21402-214 CIP

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office Number	Publication Date	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
	B1	WO 98/37085		The Regents of the University of California	08/27/1998		
	B2	WO 01/40466		Genentech, Inc.	06/07/2001		
	B3	WO 02/29058		Curagen Corporation	04/11/2002		

OTHER PRIOR ART – NON-PATENT LITERATURE DOCUMENTS							
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.					
	C138	EMBL Accession No.: AK022859 (29 September 2000).					
	C139	Hedgecock, et al. (1997). Tren in Genet 13(7): 251-253.					
	C140	International Search Report for PCT/US 01/48922, mailed February 28, 2003.					
	C141	Komatsuzaki, et al. (2002). Biochem Biophys Res Comm 297(4): 898-905.					
	C142	Leonardo, et al. (1997). Nature 386(6627): 833-838.					
	C143	Nagase, et al. (1998). DNA Res 5: 277-286.					

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____ filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.